

1 ROBERT R. RONNE, ESQ. (SBN 092884)
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3 840 Apollo Street, Suite 307
4 El Segundo, California 90245
5 Telephone: (310) 322-1696
6 Facsimile: (310) 322-3039
7 E-mail: rrr55@sbcglobal.net

8 Attorney for Plaintiff Edgardo Seminiano

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 EDGARDO SEMINIANO,

12 Plaintiff,

13 vs.

14 XYRIS ENTERPRISE, INC.;
15 ATKINSON CARE HOME;
16 MUQUET DADABHOY; AND
17 TERESITA CASTANEDA,

18 Defendants.

CASE NO: CV 10-01673-JST (JEMx)

DECLARATION OF DENNIS W.
RIHN IN SUPPORT OF MOTION
FOR SUMMARY JUDGMENT
(WITH EXHIBITS ATTACHED)

DATE: JANUARY 3, 2011
TIME: 10:00 A.M.
COURTROOM: 10A

JUDGE: HONORABLE JOSEPHINE
STATON TUCKER

DECLARATION OF DENNIS W. RIHN

I, Dennis W. Rihn, declare as follows:

1. I am an attorney at law licensed to practice before this Court and all the courts of the State of California and one of Plaintiff's attorneys of record in this action. I have personal knowledge of the matters set forth in this declaration. If called and sworn as a witness, I could and would competently testify to everything in this declaration.

2. On August 9, 2010, I served defense counsel by mail the requests for admissions attached hereto as Exhibits A through D.

3. I have never received any response to any of the requests for admission propounded in this action.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed in Pasadena, California, on November 15, 2010.



DENNIS W. RIHN

EXHIBIT A



1 ROBERT R. RONNE, ESQ. (SBN 092884)
2 LAW OFFICE OF ROBERT R. RONNE, APC
3 840 Apollo Street, Suite 307
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5 Telephone: (310) 322-1696
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8 DENNIS W. RIHN, ESQ. (SBN 126233)
9 ATTORNEY AT LAW
10 215 North Marengo Avenue, Suite 376
11 Pasadena, CA 91101
12 Telephone: (818) 265-0525
13 Facsimile: (626) 396-1555
14 E-mail: D.Rihn@Att.Net

15 Attorneys for Plaintiff Edgardo Seminiano

16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA

18 EDGARDO SEMINIANO,

19 Plaintiff,

20 vs.

21 XYRIS ENTERPRISE, INC.;
22 ATKINSON CARE HOME;
23 MUQUET DADABHOY; AND
24 TERESITA CASTANEDA,

25 Defendants.

FILE NO: CV 10-01673-PSG (JEMx)

REQUEST FOR ADMISSIONS
(RULE 36, FEDERAL RULES OF
CIVIL PROCEDURE)

JUDGE: HONORABLE JOSEPHINE
STATON TUCKER

1 PROPOUNDING PARTY: EDGARDO SEMINIANO
2 RESPONDING PARTY: XYRIS ENTERPRISE, INC.
3 SET NUMBER: ONE

4 Pursuant to Rule 36 of the Federal Rules of Civil Procedure, Plaintiff Edgardo
5 Seminiano hereby requests that Defendant Xyris Enterprise, Inc. admit for purposes
6 of this action only that the following matters are true:

7 REQUEST FOR ADMISSION NUMBER 1:

8 Xyris Enterprise, Inc. was a joint employer of Edgardo Seminiano between July
9 29, 2008, and December 2, 2009.

10 REQUEST FOR ADMISSION NUMBER 2:

11 Atkinson Care Home was a joint employer of Edgardo Seminiano between July
12 29, 2008, and December 2, 2009.

13 REQUEST FOR ADMISSION NUMBER 3:

14 Muquet Dadabhoy was a joint employer of Edgardo Seminiano between July
15 29, 2008, and December 2, 2009.

16 REQUEST FOR ADMISSION NUMBER 4:

17 Teresita Castaneda was a joint employer of Edgardo Seminiano between July
18 29, 2008, and December 2, 2009.

19 REQUEST FOR ADMISSION NUMBER 5:

20 Between July 29, 2008, and December 2, 2009, Plaintiff worked as a caregiver
21 at Atkinson Care Home.

22 REQUEST FOR ADMISSION NUMBER 6:

23 Between July 29, 2008, and December 2, 2009, Atkinson Care Home was a
24 licensed residential care facility for the elderly located at 17035 Atkinson Avenue,
25 Torrance, CA 90504.

26 REQUEST FOR ADMISSION NUMBER 7:

27 Between July 29, 2008, and December 2, 2009, Defendants Muquet Dadabhoy
28 and Teresita Castaneda were the licensees of the Atkinson Care Home.

1 REQUEST FOR ADMISSION NUMBER 8:

2 Between July 29, 2008, and December 2, 2009, Defendants Muquet Dadabhoy
3 and Teresita Castaneda jointly operated Atkinson Care Home as partners.

4 REQUEST FOR ADMISSION NUMBER 9:

5 Between July 29, 2008, and December 2, 2009, Defendants Muquet Dadabhoy
6 and Teresita Castaneda were required to operate Atkinson Care Home 24 hours per
7 day, 7 days per week.

8 REQUEST FOR ADMISSION NUMBER 10:

9 Between July 29, 2008, and December 2, 2009, Plaintiff Edgardo Seminiano
10 was required by Defendants Muquet Dadabhoy and Teresita Castaneda to request
11 permission to leave Atkinson Care Home.

12 REQUEST FOR ADMISSION NUMBER 11:

13 Plaintiff Edgardo Seminiano was never unconditionally allowed to leave
14 Atkinson Care Home more than 57 hours in any week between July 29, 2008, and
15 December 2, 2009.

16 REQUEST FOR ADMISSION NUMBER 12:

17 Plaintiff's hours worked each week between July 29, 2008, and December 2,
18 2009, were 111 or more.

19 REQUEST FOR ADMISSION NUMBER 13:

20 Edgardo Seminiano did not have private living quarters while working at
21 Atkinson Care Home.

22 REQUEST FOR ADMISSION NUMBER 14:

23 Between July 29, 2008, and December 2, 2009, Edgardo Seminiano slept on a
24 couch at Atkinson Care Home.

25 REQUEST FOR ADMISSION NUMBER 15:

26 Xyris Enterprise, Inc. owes Edgardo Seminiano \$53,649.18 in unpaid minimum
27 wage and overtime compensation under the Fair Labor Standards Act.

28

1 REQUEST FOR ADMISSION NUMBER 16:

2 Xyris Enterprise, Inc. owes Edgardo Seminiano \$53,649.18 in liquidated
3 damages under the Fair Labor Standards Act.

4 REQUEST FOR ADMISSION NUMBER 17:

5 Xyris Enterprise, Inc. owes Edgardo Seminiano \$121,855.42 in unpaid
6 overtime compensation under California law.

7 REQUEST FOR ADMISSION NUMBER 18:

8 Xyris Enterprise, Inc. owes Edgardo Seminiano \$4,749.36 in compensation for
9 meal periods not received pursuant to California Labor Code Section 226.7.

10 REQUEST FOR ADMISSION NUMBER 19:

11 Xyris Enterprise, Inc. owes Edgardo Seminiano \$2,467.20 for continuing
12 wages pursuant to California Labor Code Section 203.

13 REQUEST FOR ADMISSION NUMBER 20:

14 Xyris Enterprise, Inc. owes Edgardo Seminiano \$4000.00 for failure to comply
15 with California Labor Code Section 226.

16
17 Date: August 9, 2010

LAW OFFICES OF DENNIS W. RIHN

18
19 By: 

20 DENNIS W. RIHN, ATTORNEY FOR
21 PLAINTIFF EDGARDO SEMINIANO
22
23
24
25
26
27
28

PROOF OF SERVICE BY MAIL

I, the undersigned, am a citizen of the United States, a resident of the County of Los Angeles, State of California, over the age of eighteen years, and not a party to the within action.

My business addresses is Dennis Rihn, Attorney at Law, 215 North Marengo Avenue, Suite 376, Pasadena, CA 91101.

On August 9, 2010, at Pasadena, California, I served the within REQUEST FOR ADMISSIONS (RULE 36, FEDERAL RULES OF CIVIL PROCEDURE) upon the parties interested in the action by placing for collection and mailing a true copy of the document, enclosed in a sealed envelope, postage fully prepaid, addressed as follows:

Amy Ghosh, Esq.
Law Offices of Amy Ghosh
3255 Wilshire Boulevard
Suite 1530
Los Angeles, CA 90010

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 9, 2010, at Pasadena, California.


DENNIS W. RIHN

EXHIBIT B



1 ROBERT R. RONNE, ESQ. (SBN 092884)
2 LAW OFFICE OF ROBERT R. RONNE, APC
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15 Attorneys for Plaintiff Edgardo Seminiano

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19 Plaintiff,

20 vs.

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22 ATKINSON CARE HOME;
23 MUQUET DADABHOY; AND
24 TERESITA CASTANEDA,
25 Defendants.

FILE NO: CV 10-01673-PSG (JEMx)

REQUEST FOR ADMISSIONS
(RULE 36, FEDERAL RULES OF
CIVIL PROCEDURE)

JUDGE: HONORABLE JOSEPHINE
STATON TUCKER

1 PROPOUNDING PARTY: EDGARDO SEMINIANO

2 RESPONDING PARTY: ATKINSON CARE HOME

3 SET NUMBER: ONE

4 Pursuant to Rule 36 of the Federal Rules of Civil Procedure, Plaintiff Edgardo
5 Seminiano hereby requests that Defendant Atkinson Care Home admit for purposes of
6 this action only that the following matters are true:

7 REQUEST FOR ADMISSION NUMBER 1:

8 Xyris Enterprise, Inc. was a joint employer of Edgardo Seminiano between July
9 29, 2008, and December 2, 2009.

10 REQUEST FOR ADMISSION NUMBER 2:

11 Atkinson Care Home was a joint employer of Edgardo Seminiano between July
12 29, 2008, and December 2, 2009.

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14 Muquet Dadabhoy was a joint employer of Edgardo Seminiano between July
15 29, 2008, and December 2, 2009.

16 REQUEST FOR ADMISSION NUMBER 4:

17 Teresita Castaneda was a joint employer of Edgardo Seminiano between July
18 29, 2008, and December 2, 2009.

19 REQUEST FOR ADMISSION NUMBER 5:

20 Between July 29, 2008, and December 2, 2009, Plaintiff worked as a caregiver
21 at Atkinson Care Home.

22 REQUEST FOR ADMISSION NUMBER 6:

23 Between July 29, 2008, and December 2, 2009, Atkinson Care Home was a
24 licensed residential care facility for the elderly located at 17035 Atkinson Avenue,
25 Torrance, CA 90504.

26 REQUEST FOR ADMISSION NUMBER 7:

27 Between July 29, 2008, and December 2, 2009, Defendants Muquet Dadabhoy
28 and Teresita Castaneda were the licensees of the Atkinson Care Home.

1 REQUEST FOR ADMISSION NUMBER 8:

2 Between July 29, 2008, and December 2, 2009, Defendants Muquet Dadabhoy
3 and Teresita Castaneda jointly operated Atkinson Care Home as partners.

4 REQUEST FOR ADMISSION NUMBER 9:

5 Between July 29, 2008, and December 2, 2009, Defendants Muquet Dadabhoy
6 and Teresita Castaneda were required to operate Atkinson Care Home 24 hours per
7 day, 7 days per week.

8 REQUEST FOR ADMISSION NUMBER 10:

9 Between July 29, 2008, and December 2, 2009, Plaintiff Edgardo Seminiano
10 was required by Defendants Muquet Dadabhoy and Teresita Castaneda to request
11 permission to leave Atkinson Care Home.

12 REQUEST FOR ADMISSION NUMBER 11:

13 Plaintiff Edgardo Seminiano was never unconditionally allowed to leave
14 Atkinson Care Home more than 57 hours in any week between July 29, 2008, and
15 December 2, 2009.

16 REQUEST FOR ADMISSION NUMBER 12:

17 Plaintiff's hours worked each week between July 29, 2008, and December 2,
18 2009, were 111 or more.

19 REQUEST FOR ADMISSION NUMBER 13:

20 Edgardo Seminiano did not have private living quarters while working at
21 Atkinson Care Home.

22 REQUEST FOR ADMISSION NUMBER 14:

23 Between July 29, 2008, and December 2, 2009, Edgardo Seminiano slept on a
24 couch at Atkinson Care Home.

25 REQUEST FOR ADMISSION NUMBER 15:

26 Atkinson Care Home owes Edgardo Seminiano \$53,649.18 in unpaid minimum
27 wage and overtime compensation under the Fair Labor Standards Act.

28

1 REQUEST FOR ADMISSION NUMBER 16:

2 Atkinson Care Home owes Edgardo Seminiano \$53,649.18 in liquidated
3 damages under the Fair Labor Standards Act.

4 REQUEST FOR ADMISSION NUMBER 17:

5 Atkinson Care Home owes Edgardo Seminiano \$121,855.42 in unpaid
6 overtime compensation under California law.

7 REQUEST FOR ADMISSION NUMBER 18:

8 Atkinson Care Home owes Edgardo Seminiano \$4,749.36 in compensation for
9 meal periods not received pursuant to California Labor Code Section 226.7.

10 REQUEST FOR ADMISSION NUMBER 19:

11 Atkinson Care Home owes Edgardo Seminiano \$2,467.20 for continuing wages
12 pursuant to California Labor Code Section 203.

13 REQUEST FOR ADMISSION NUMBER 20:

14 Atkinson Care Home owes Edgardo Seminiano \$4000.00 for failure to comply
15 with California Labor Code Section 226.

16
17 Date: August 9, 2010

LAW OFFICES OF DENNIS W. RIHN

18
19 By: 

20 DENNIS W. RIHN, ATTORNEY FOR
21 PLAINTIFF EDGARDO SEMINIANO
22
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PROOF OF SERVICE BY MAIL

I, the undersigned, am a citizen of the United States, a resident of the County of Los Angeles, State of California, over the age of eighteen years, and not a party to the within action.

My business addresses is Dennis Rihn, Attorney at Law, 215 North Marengo Avenue, Suite 376, Pasadena, CA 91101.

On August 9, 2010, at Pasadena, California, I served the within REQUEST FOR ADMISSIONS (RULE 36, FEDERAL RULES OF CIVIL PROCEDURE) upon the parties interested in the action by placing for collection and mailing a true copy of the document, enclosed in a sealed envelope, postage fully prepaid, addressed as follows:

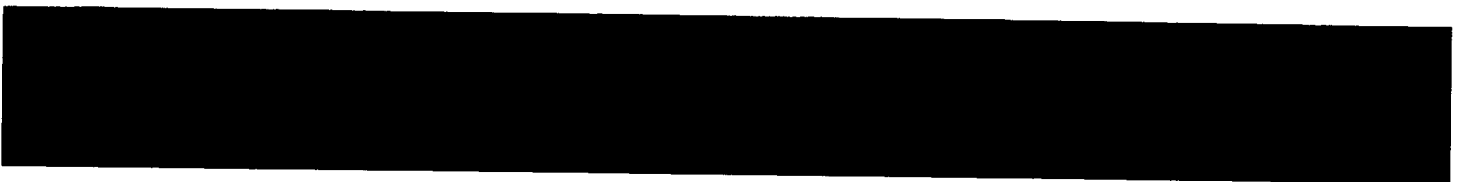
Amy Ghosh, Esq.
Law Offices of Amy Ghosh
3255 Wilshire Boulevard
Suite 1530
Los Angeles, CA 90010

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 9, 2010, at Pasadena, California.


DENNIS W. RIHN

EXHIBIT C



1 ROBERT R. RONNE, ESQ. (SBN 092884)
2 LAW OFFICE OF ROBERT R. RONNE, APC
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14 E-mail: D.Rihn@Att.Net

15 Attorneys for Plaintiff Edgardo Seminiano

16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA

18 EDGARDO SEMINIANO,

19 Plaintiff,

20 vs.

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22 ATKINSON CARE HOME;
23 MUQUET DADABHOY; AND
24 TERESITA CASTANEDA,

25 Defendants.

FILE NO: CV 10-01673-PSG (JEMx)

REQUEST FOR ADMISSIONS
(RULE 36, FEDERAL RULES OF
CIVIL PROCEDURE)

JUDGE: HONORABLE JOSEPHINE
STATON TUCKER

1 PROPOUNDING PARTY: EDGARDO SEMINIANO

2 RESPONDING PARTY: MUQUET DADABHOY

3 SET NUMBER: ONE

4 Pursuant to Rule 36 of the Federal Rules of Civil Procedure, Plaintiff Edgardo
5 Seminiano hereby requests that Defendant Muquet Dadabhoy admit for purposes of
6 this action only that the following matters are true:

7 REQUEST FOR ADMISSION NUMBER 1:

8 Xyris Enterprise, Inc. was a joint employer of Edgardo Seminiano between July
9 29, 2008, and December 2, 2009.

10 REQUEST FOR ADMISSION NUMBER 2:

11 Atkinson Care Home was a joint employer of Edgardo Seminiano between July
12 29, 2008, and December 2, 2009.

13 REQUEST FOR ADMISSION NUMBER 3:

14 Muquet Dadabhoy was a joint employer of Edgardo Seminiano between July
15 29, 2008, and December 2, 2009.

16 REQUEST FOR ADMISSION NUMBER 4:

17 Teresita Castaneda was a joint employer of Edgardo Seminiano between July
18 29, 2008, and December 2, 2009.

19 REQUEST FOR ADMISSION NUMBER 5:

20 Between July 29, 2008, and December 2, 2009, Plaintiff worked as a caregiver
21 at Atkinson Care Home.

22 REQUEST FOR ADMISSION NUMBER 6:

23 Between July 29, 2008, and December 2, 2009, Atkinson Care Home was a
24 licensed residential care facility for the elderly located at 17035 Atkinson Avenue,
25 Torrance, CA 90504.

26 REQUEST FOR ADMISSION NUMBER 7:

27 Between July 29, 2008, and December 2, 2009, Defendants Muquet Dadabhoy
28 and Teresita Castaneda were the licensees of the Atkinson Care Home.

1 REQUEST FOR ADMISSION NUMBER 8:

2 Between July 29, 2008, and December 2, 2009, Defendants Muquet Dadabhoy
3 and Teresita Castaneda jointly operated Atkinson Care Home as partners.

4 REQUEST FOR ADMISSION NUMBER 9:

5 Between July 29, 2008, and December 2, 2009, Defendants Muquet Dadabhoy
6 and Teresita Castaneda were required to operate Atkinson Care Home 24 hours per
7 day, 7 days per week.

8 REQUEST FOR ADMISSION NUMBER 10:

9 Between July 29, 2008, and December 2, 2009, Plaintiff Edgardo Seminiano
10 was required by Defendants Muquet Dadabhoy and Teresita Castaneda to request
11 permission to leave Atkinson Care Home.

12 REQUEST FOR ADMISSION NUMBER 11:

13 Plaintiff Edgardo Seminiano was never unconditionally allowed to leave
14 Atkinson Care Home more than 57 hours in any week between July 29, 2008, and
15 December 2, 2009.

16 REQUEST FOR ADMISSION NUMBER 12:

17 Plaintiff's hours worked each week between July 29, 2008, and December 2,
18 2009, were 111 or more.

19 REQUEST FOR ADMISSION NUMBER 13:

20 Edgardo Seminiano did not have private living quarters while working at
21 Atkinson Care Home.

22 REQUEST FOR ADMISSION NUMBER 14:

23 Between July 29, 2008, and December 2, 2009, Edgardo Seminiano slept on a
24 couch at Atkinson Care Home.

25 REQUEST FOR ADMISSION NUMBER 15:

26 Muquet Dadabhoy owes Edgardo Seminiano \$53,649.18 in unpaid minimum
27 wage and overtime compensation under the Fair Labor Standards Act.

28

1 REQUEST FOR ADMISSION NUMBER 16:

2 Muquet Dadabhoy owes Edgardo Seminiano \$53,649.18 in liquidated damages
3 under the Fair Labor Standards Act.

4 REQUEST FOR ADMISSION NUMBER 17:

5 Muquet Dadabhoy owes Edgardo Seminiano \$121,855.42 in unpaid overtime
6 compensation under California law.

7 REQUEST FOR ADMISSION NUMBER 18:

8 Muquet Dadabhoy owes Edgardo Seminiano \$4,749.36 in compensation for
9 meal periods not received pursuant to California Labor Code Section 226.7.

10 REQUEST FOR ADMISSION NUMBER 19:

11 Muquet Dadabhoy owes Edgardo Seminiano \$2,467.20 for continuing wages
12 pursuant to California Labor Code Section 203.

13 REQUEST FOR ADMISSION NUMBER 20:

14 Muquet Dadabhoy owes Edgardo Seminiano \$4000.00 for failure to comply
15 with California Labor Code Section 226.

16
17 Date: August 9, 2010

LAW OFFICES OF DENNIS W. RIHN

18
19 By: 

20 DENNIS W. RIHN, ATTORNEY FOR
21 PLAINTIFF EDGARDO SEMINIANO
22
23
24
25
26
27
28

PROOF OF SERVICE BY MAIL

I, the undersigned, am a citizen of the United States, a resident of the County of Los Angeles, State of California, over the age of eighteen years, and not a party to the within action.

My business addresses is Dennis Rihn, Attorney at Law, 215 North Marengo Avenue, Suite 376, Pasadena, CA 91101.

On August 9, 2010, at Pasadena, California, I served the within REQUEST FOR ADMISSIONS (RULE 36, FEDERAL RULES OF CIVIL PROCEDURE) upon the parties interested in the action by placing for collection and mailing a true copy of the document, enclosed in a sealed envelope, postage fully prepaid, addressed as follows:

Amy Ghosh, Esq.
Law Offices of Amy Ghosh
3255 Wilshire Boulevard
Suite 1530
Los Angeles, CA 90010

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 9, 2010, at Pasadena, California.


DENNIS W. RIHN

EXHIBIT D



1 ROBERT R. RONNE, ESQ. (SBN 092884)
2 LAW OFFICE OF ROBERT R. RONNE, APC
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9 ATTORNEY AT LAW
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14 E-mail: D.Rihn@Att.Net

15 Attorneys for Plaintiff Edgardo Seminiano

16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA
18

19 EDGARDO SEMINIANO,

20 Plaintiff,

21 vs.

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23 ATKINSON CARE HOME;
24 MUQUET DADABHOY; AND
25 TERESITA CASTANEDA,

26 Defendants.

FILE NO: CV 10-01673-PSG (JEMx)

REQUEST FOR ADMISSIONS
(RULE 36, FEDERAL RULES OF
CIVIL PROCEDURE)

JUDGE: HONORABLE JOSEPHINE
STATON TUCKER

1 PROPOUNDING PARTY: EDGARDO SEMINIANO

2 RESPONDING PARTY: TERESITA CASTANEDA

3 SET NUMBER: ONE

4 Pursuant to Rule 36 of the Federal Rules of Civil Procedure, Plaintiff Edgardo
5 Seminiano hereby requests that Defendant Teresita Castaneda admit for purposes of
6 this action only that the following matters are true:

7 REQUEST FOR ADMISSION NUMBER 1:

8 Xyris Enterprise, Inc. was a joint employer of Edgardo Seminiano between July
9 29, 2008, and December 2, 2009.

10 REQUEST FOR ADMISSION NUMBER 2:

11 Atkinson Care Home was a joint employer of Edgardo Seminiano between July
12 29, 2008, and December 2, 2009.

13 REQUEST FOR ADMISSION NUMBER 3:

14 Muquet Dadabhoy was a joint employer of Edgardo Seminiano between July
15 29, 2008, and December 2, 2009.

16 REQUEST FOR ADMISSION NUMBER 4:

17 Teresita Castaneda was a joint employer of Edgardo Seminiano between July
18 29, 2008, and December 2, 2009.

19 REQUEST FOR ADMISSION NUMBER 5:

20 Between July 29, 2008, and December 2, 2009, Plaintiff worked as a caregiver
21 at Atkinson Care Home.

22 REQUEST FOR ADMISSION NUMBER 6:

23 Between July 29, 2008, and December 2, 2009, Atkinson Care Home was a
24 licensed residential care facility for the elderly located at 17035 Atkinson Avenue,
25 Torrance, CA 90504.

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28 and Teresita Castaneda were the licensees of the Atkinson Care Home.

1 REQUEST FOR ADMISSION NUMBER 8:

2 Between July 29, 2008, and December 2, 2009, Defendants Muquet Dadabhoy
3 and Teresita Castaneda jointly operated Atkinson Care Home as partners.

4 REQUEST FOR ADMISSION NUMBER 9:

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6 and Teresita Castaneda were required to operate Atkinson Care Home 24 hours per
7 day, 7 days per week.

8 REQUEST FOR ADMISSION NUMBER 10:

9 Between July 29, 2008, and December 2, 2009, Plaintiff Edgardo Seminiano
10 was required by Defendants Muquet Dadabhoy and Teresita Castaneda to request
11 permission to leave Atkinson Care Home.

12 REQUEST FOR ADMISSION NUMBER 11:

13 Plaintiff Edgardo Seminiano was never unconditionally allowed to leave
14 Atkinson Care Home more than 57 hours in any week between July 29, 2008, and
15 December 2, 2009.

16 REQUEST FOR ADMISSION NUMBER 12:

17 Plaintiff's hours worked each week between July 29, 2008, and December 2,
18 2009, were 111 or more.

19 REQUEST FOR ADMISSION NUMBER 13:

20 Edgardo Seminiano did not have private living quarters while working at
21 Atkinson Care Home.

22 REQUEST FOR ADMISSION NUMBER 14:

23 Between July 29, 2008, and December 2, 2009, Edgardo Seminiano slept on a
24 couch at Atkinson Care Home.

25 REQUEST FOR ADMISSION NUMBER 15:

26 Teresita Castaneda owes Edgardo Seminiano \$53,649.18 in unpaid minimum
27 wage and overtime compensation under the Fair Labor Standards Act.

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3 under the Fair Labor Standards Act.

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5 Teresita Castaneda owes Edgardo Seminiano \$121,855.42 in unpaid overtime
6 compensation under California law.

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8 Teresita Castaneda owes Edgardo Seminiano \$4,749.36 in compensation for
9 meal periods not received pursuant to California Labor Code Section 226.7.

10 REQUEST FOR ADMISSION NUMBER 19:

11 Teresita Castaneda owes Edgardo Seminiano \$2,467.20 for continuing wages
12 pursuant to California Labor Code Section 203.

13 REQUEST FOR ADMISSION NUMBER 20:

14 Teresita Castaneda owes Edgardo Seminiano \$4000.00 for failure to comply
15 with California Labor Code Section 226.

16

17 Date: August 9, 2010

LAW OFFICES OF DENNIS W. RIHN

18

19

By: 

20

DENNIS W. RIHN, ATTORNEY FOR
PLAINTIFF EDGARDO SEMINIANO

21

22

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25

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PROOF OF SERVICE BY MAIL

I, the undersigned, am a citizen of the United States, a resident of the County of Los Angeles, State of California, over the age of eighteen years, and not a party to the within action.

My business addresses is Dennis Rihn, Attorney at Law, 215 North Marengo Avenue, Suite 376, Pasadena, CA 91101.

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3255 Wilshire Boulevard
Suite 1530
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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 9, 2010, at Pasadena, California.



DENNIS W. RIHN